

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Justin Lee Sutterliet

Case Number: 0980 2:10CR02035-EFS-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: October 13, 2010

Original Offense: Felon in Possession of Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison 46 months;
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Alexander Carl Ekstrom

Date Supervision Commenced: October 16, 2013

Defense Attorney: Rick Lee Hoffman

Date Supervision Expires: October 15, 2016

PETITIONING THE COURT**To issue a summons.**

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Mandatory Condition # 2:</u> The defendant shall not commit another federal, state, or local crime.
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Supporting Evidence: Mr. Sutterliet was charged with driving under the influence of alcohol, Yakima County Municipal Court, case number 4Z0397910, on May 17, 2014.

According to the Yakima County Sheriff's Office incident report, on May 17, 2014, an officer observed a vehicle that appeared to be traveling below the speed limit of 35 mile-per-hour. The officer also noticed the vehicle drifting to the right. The vehicle was pulled over and contact was made with the driver, who was identified as Justin Sutterliet. The officer reported while speaking with the defendant, he smelled a strong odor of intoxicants emanating from the defendant. The officer also observed the defendant's eyes were bloodshot and watery. The defendant reported he had consumed two beers. A field sobriety test was conducted, in addition to a Breathalyzer test being administered. The reading from the sample returned at .160 percent blood alcohol content (BAC). Mr. Sutterliet was arrested and charged with driving under the influence.

Mr. Sutterliet's next court hearing is set for July 10, 2014, in Yakima County District Court.

Prob12C

Re: Sutterlict, Justin Lee

June 20, 2014

Page 2

- 2 **Special Condition # 19:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Mr. Sutterlict was found under the influence of alcohol on May 17, 2014.

Mr. Sutterlict was arrested and charged with driving under the influence on May 17, 2014. While at the Toppenish City Jail, the defendant consented to a Breathalyzer test. The Breathalyzer test was administered, and the samples had readings of .195 and .194 percent BAC.

- 3 **Standard Condition # 11:** The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.

Supporting Evidence: Mr. Sutterlict fail to report law enforcement contact to his probation officer, when he was contacted by officers from the Yakima Police Department on June 4, 2014.

According to the Yakima Police Department narrative report, on June 4, 2014, officers were detailed to an argument in front of a residence. Upon the officers arrival, they met with the victim who appeared upset. She reported she was in an argument/fight earlier with a friend and received abrasions on her face. The victim was willing to speak around the defendant and did not appear to be afraid of him. She also indicated she did not wish to press charges on the male that hit her and was just wanting to leave. The victim was advised by an officer to call the police department if she changed her mind. No charges were filed.

On June 5, 2014, this officer met with the defendant and spoke with him at length, however, he failed to mention he had law enforcement contact the previous day.

On June 6, 2014, a records check was conducted which revealed the above-noted incident.

- 4 **Standard Condition # 6:** The defendant shall notify the probation officer at least 10 days prior to any change in residence or employment.

Supporting Evidence: Mr. Sutterlict failed to notify his probation officer prior to quitting his job at the Yakama Forest Products on June 3, 2014.

On June 5, 2014, when questioned regarding his job at the Yakama Forest Products, Mr. Sutterlict reported he quit his job before getting fired due to too many unexcused absences.

- 5 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Mr. Sutterlict failed to enroll in drug and alcohol treatment as directed by his probation officer as of June 19, 2014.

Prob12C

Re: Sutterlict, Justin Lee

June 20, 2014

Page 3

On June 5, 2014, Mr. Sutterlict was directed to enroll in treatment at the Yakama Nation drug and alcohol treatment program (YIN), to which he agreed he would do right away. On June 19, 2014, this officer called the staff at the YIN drug and alcohol treatment program and was advised Mr. Sutterlict is currently not enrolled in treatment services.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 20, 2014

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

June 23, 2014

Date